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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JAMES M. KINDER,

Plaintiff,

vs.

HARRAH'S ENTERTAINMENT, INC.; HARRAH'S OPERATING COMPANY, INC.; HARRAH'S MARKETING SERVICES CORPORATION; HARRAH'S LICENSE COMPANY, LLC; HARRAH'S LAUGHLIN, INC.; HBR REALTY COMPANY, INC. and DOES 1 through 100, inclusive,

Defendants.

CASE NO. 07-CV-2132-DMS (AJB)
[Consolidated with 07 CV 2226 DMS (POR)]

Judge: Hon. Dana M. Sabraw
Mag. Judge: Hon. Anthony J. Battaglia

NOTICE OF MOTION AND MOTION OF *SPECIALLY APPEARING* DEFENDANTS TO DISMISS PURSUANT TO F.R.CIV.P. RULE 12(b)(2), (6)

ACCOMPANYING DOCUMENTS: MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF MARIA C. ROBERTS; DECLARATION OF MICHAEL E. KOSTRINSKY; NOTICE OF LODGMENT OF EXHIBITS; [PROPOSED] ORDER

Date: April 25, 2009
Time: 1:30 p.m.
Courtroom: 10

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TO PLAINTIFF AND HIS ATTORNEY OF RECORD:

NOTICE IS HEREBY GIVEN that on April 25, 2008, at 1:30 p.m. in Courtroom 10 of the above-entitled Court, located at 880 Front Street, San Diego, California 92101-8900, *Specially Appearing* Defendants HARRAH'S LAUGHLIN, INC., HARRAH'S LICENSE COMPANY, LLC, and HBR REALTY COMPANY, INC. will move this Court for an order to dismiss this action pursuant to F.R.CIV.P. Rule 12(b)(2), (6).

The motion is based on this notice of motion, the memorandum of points and authorities, the declarations of Maria C. Roberts and Michael E. Kostrinsky, the notice of lodgment of exhibits filed herewith, the pleadings and papers on file herein, and upon such other matters as may be presented to the Court at the time of the hearing.

SHEA STOKES ROBERTS & WAGNER, ALC

Dated: March 27, 2008

By: s/Maria C. Roberts
Maria C. Roberts
Ronald R. Giusso
Attorneys for HARRAH'S ENTERTAINMENT, INC. and *Specially Appearing* Defendants HARRAH'S OPERATING COMPANY, INC.; HARRAH'S MARKETING SERVICES CORPORATION; HARRAH'S LAUGHLIN, INC.; HARRAH'S LICENSE COMPANY, LLC; and HBR REALTY COMPANY, INC.